IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 7TH AUGUST 2006 / 16TH SRAVANA 1928

Bail Appl..No. 4813 of 2006

CMP.698/2006 of DISTRICT COURT, KALPETTA
CRIME NO.28/2006 OF EXCISE RANGE, KALPETTA

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PETITIONER/ACCUSED:

JIBI, S/O. POULOSE,
KANHIRAKKATUKUDI (H), KARACHAL (P.O),
S. BATHERY, WAYANAD DISTRICT.

BY ADV. SRI.S.M.PRASANTH

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4813/2006

DATED THIS THE 7TH DAY OF AUGUST, 2006

O R D E R

The petitioner is in judicial custody from 12.7.2006 in C.R.No.28/2006 of Excise Range, Kalpetta. The allegation is that fifty liters of wash had been seized from a shed situated near the arecanut garden of another person. However the petitioner had been arrested holding that it was belonging to him. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the duration of judicial detention and other aspects, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Chief Judicial Magistrate Court, Kalpetta.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Friday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 11.8.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs